

1 HONORABLE RONALD B. LEIGHTON  
2  
3  
4  
5  
6  
7  
8

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

9 PAUL GEROLD SPARKS,

10 Plaintiff,

11 v.

12 CLEARWIRE/VERIZON, et al.,

13 Defendants.  
14

CASE NO. C14-5458 RBL

15 ORDER DENYING MOTION FOR  
LEAVE TO PROCEED IFP

16 THIS MATTER is before the Court on pro se Plaintiff Sparks' Application for leave to  
17 proceed in forma pauperis. [Dkt. #1]

18 A district court may permit indigent litigants to proceed *in forma pauperis* upon  
19 completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The court has broad  
20 discretion in resolving the application, but “the privilege of proceeding *in forma pauperis* in civil  
21 actions for damages should be sparingly granted.” *Weller v. Dickson*, 314 F.2d 598, 600 (9th  
22 Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should “deny leave to proceed  
23 *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the  
24 action is frivolous or without merit.” *Tripati v. First Nat'l Bank & Trust*, 821 F.2d 1368, 1369  
(9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis*

1 complaint is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v.*  
2 *Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir.  
3 1984).

4 Sparks’ complaint does not meet this standard. It is almost unintelligible, and it is not at  
5 all clear who he is suing, for what. He names only Clearwire/Verizon and Godaddy.com as  
6 defendants, but then asks the court to put a number of his relatives in jail for stealing his money.  
7 He also appears to complain about the NSA. There is no indication that this Court has  
8 jurisdiction over the claims he asserts: “this occurred in Washington” is not a sufficient  
9 invocation of this court’s subject matter jurisdiction.

10 For these reasons, the Plaintiff’s application to proceed *in forma pauperis* is DENIED.  
11 Plaintiff should pay the filing fee, or file an amended complaint, within 15 days of the date of  
12 this Order, or the case will be dismissed. Any amended complaint should state in clear terms  
13 who is being sued for doing what, when, and why the conduct is the basis for a legal action in  
14 this Court.

15 IT IS SO ORDERED.

16 Dated this 18<sup>th</sup> day of June, 2014.

17   
18 \_\_\_\_\_  
19 RONALD B. LEIGHTON  
20 UNITED STATES DISTRICT JUDGE